

**NIGHT BOX  
FILED**

**MAY 30 2001**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

CLERK, USDC / SDFL / WPB

CASE NO. 00-6294-CR-HURLEY(s)

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

MACINTAUCH ELIACIN,

Defendant.

\_\_\_\_\_/

**GOVERNMENT'S RESPONSE TO DEFENDANT'S  
OBJECTIONS TO PRE-SENTENCE INVESTIGATION REPORT**

The United States of America, through the undersigned Assistant United States Attorney, files its response to the defendant's Objections to the Pre-Sentence Investigation Report. The United States of America agrees with defendant's first two objections and requests this Court to overrule defendant's remaining objection. In support of said request the United States of America states the following:

1. Macintauch Eliacin is not less culpable than any other participant in this conspiracy. There are a total of five narcotics transactions conducted in this case. Feline Joseph is only implicated in one of them. Eric Taylor is implicated in three of them. Macintauch Eliacin is implicated in four of them. Macintauch Eliacin was not present when the arrest and search warrants were executed and sixty-five grams of crack cocaine were found. That is the only reason he is not

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charged in Count 7 of the Superseding Indictment. Defendant's assertion that Eric Taylor distributed twice as much crack cocaine as he did is simply unfounded. Macintauch Eliacin actually distributed more crack cocaine than any other participant in this conspiracy. As a result, the United States of America respectfully asks this court to overrule defendant's objection regarding minor role.

Respectfully submitted,

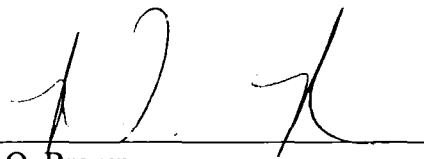
GUY A. LEWIS  
UNITED STATES ATTORNEY

By: 

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent via facsimile (Fax number 561 833 0368) this 30<sup>th</sup> day of May, 2001 to: Lori Barrist, Esquire, Assistant Federal Public Defender, 400 Australian Avenue North, Suite 300, West Palm Beach, Florida 33401.

  
Bruce O. Brown  
Assistant United States Attorney